

**DECLARATION - USA PATENT APPLICATION**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled HIGH-CAPACITY NANOSTRUCTURED GERMANIUM-CONTAINING MATERIALS AND LITHIUM ALLOYS THEREOF; the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Jason A. Graetz**

Inventor's signature _____

Date 04/13/04

Residence: **Building 815, Brookhaven National Laboratories, Upton, NY 11973**

Citizenship: **U.S.A.**

Full name of second inventor: **Brent T. Fultz**

Inventor's signature _____

Date _____

DECLARATION - USA PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled HIGH-CAPACITY NANOSTRUCTURED GERMANIUM-CONTAINING MATERIALS AND LITHIUM ALLOYS THEREOF; the specification of which is attached hereto.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above;

I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, § 1.56;

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful, false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of first inventor: **Jason A. Graetz**

Inventor's signature _____

Date _____

Residence: **Building 815, Brookhaven National Laboratories, Upton, NY 11973**

Citizenship: **U.S.A.**

Full name of second inventor: **Brent T. Fultz**

Inventor's signature Brent T Fultz

Date 4/12/04

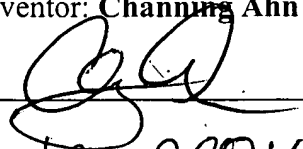
Residence: **269 S. Berkeley Avenue, Pasadena, CA 91107**

Citizenship: **U.S.A.**

Full name of third inventor: **Channing Ahn**

Inventor's signature

Date


April 12, 2004

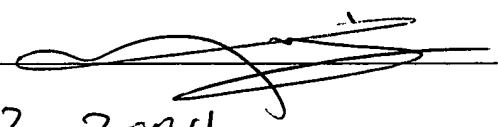
Residence: **3055 Oneida Street, Pasadena, CA 91107**

Citizenship: **U.S.A.**

Full name of fourth inventor: **Rachid Yazami**

Inventor's signature

Date


April 12, 2004

Residence: **3943 Veselich Avenue, #266, Los Angeles, CA 90039**

Citizenship: **France**

Send Correspondence To:

KNOBBE, MARTENS, OLSON & BEAR, LLP

Customer No. 20,995



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Jason A. Graetz, et al.)
)
App. No. : 10/829,598)
)
Filed : April 22, 2004)
)
For : HIGH-CAPACITY)
NANOSTRUCTURED)
GERMANIUM-CONTAINING)
MATERIAL AND LITHIUM)
ALLOYS THEREOF)
)
Examiner : Unassigned)
)

ESTABLISHMENT OF RIGHT OF ASSIGNEE TO TAKE ACTION
AND
REVOCATION AND POWER OF ATTORNEY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

The undersigned is empowered to act on behalf of the assignee below (the "Assignee"). A true copy of the original Assignment of the above-captioned application from the inventor(s) to the Assignee is attached hereto. This Assignment represents the entire chain of title of this invention from the Inventor(s) to the Assignee.

I declare that all statements made herein are true, and that all statements made upon information and belief are believed to be true, and further, that these statements were made with the knowledge that willful, false statements and the like so made are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that willful, false statements may jeopardize the validity of the application, or any patent issuing thereon.

The undersigned hereby revokes any previous powers of attorney in the subject application, and hereby appoints the registrants of Knobbe, Martens, Olson & Bear, LLP, 2040

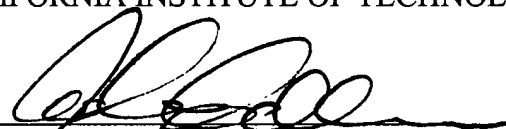
App. No. : 10/829,598
Filed : April 22, 2004

Main Street, Fourteenth Floor, Irvine, California 92614, Telephone (949) 760-0404, **Customer No. 20,995**, as its attorneys with full power of substitution and revocation to prosecute this application and to transact all business in the U.S. Patent and Trademark Office connected herewith. This appointment is to be to the exclusion of the inventor(s) and his attorney(s) in accordance with the provisions of 37 C.F.R. § 3.71.

Please use **Customer No. 20,995** for all communications.

CALIFORNIA INSTITUTE OF TECHNOLOGY

Dated: 07 July 2004

By: 
Adam Cochran

Title: Intellectual Property Counsel

Address: 1200 East California Boulevard,
M/C 210-85
Pasadena, CA 91125

H:\DOCS\PTH\CALTECH JPL\CTJPL.010A\POA CTJPL.010A.DOC

COPY

Application No.: Unassigned
Filing Date: Herewith

PATENT
Client Code: CTJPL.010A
Page 1

ASSIGNMENT

WHEREAS, We, Jason A. Graetz, a citizen of the U.S.A., residing at Building 815, Brookhaven National Laboratories, Upton, NY 11973, Brent T. Fultz, a citizen of the U.S.A., residing at 269 S. Berkeley Avenue, Pasadena, CA 91107; Channing Ahn, a citizen of the U.S.A., residing at 3055 Oneida Street, Pasadena, CA 91107; Rachid Yazami, a citizen of France, residing at 3943 Veselich Avenue, #266, Los Angeles, CA 90039, have invented certain new and useful improvements in a HIGH-CAPACITY NANOSTRUCTURED GERMANIUM-CONTAINING MATERIALS AND LITHIUM ALLOYS THEREOF for which we have executed an application for Letters Patent in the United States;

AND WHEREAS, California Institute of Technology (hereinafter "ASSIGNEE"), a California Corporation, with its principal place of business at 1200 E. California Boulevard, M/C 210-85, Pasadena, CA 91125, desires to acquire the entire right, title, and interest in and to the said improvements and the said Application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, we, the said inventors, do hereby acknowledge that we have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, the entire right, title, and interest throughout the world in, to and under the said improvements, and the said application and all provisional applications relating thereto, and all divisions, renewals and continuations thereof, and all Letters Patent of the United States which may be granted thereon and all reissues and extensions thereof, and all rights of priority under International Conventions and applications for Letters Patent which may hereafter be filed for said improvements in any country or countries foreign to the United States, and all Letters Patent which may be granted for said improvements in any country or countries foreign to the United States and all extensions, renewals and reissues thereof; and we hereby authorize and request the Commissioner of Patents of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents on applications as aforesaid, to issue all Letters Patent for said improvements to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND WE HEREBY covenant and agree that we will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to us respecting said improvements, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing and reissue applications, make all rightful oaths and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper patent protection for said improvements in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of APRIL, 2004

Jason A. Graetz

STATE OF New York

COUNTY OF Suffolk

ss.

On 4/13/04, before me, JASON A. GRAETZ, personally appeared Jason A. Graetz personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Notary Signature

PATRICIA F. FOX
Notary Public, State of New York
No. 4742510, Suffolk County
Term Expires June 30, 2007

COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 19th day of April, 2004.

Brent T. Fultz
Brent T. Fultz

STATE OF California }
COUNTY OF Los Angeles } ss.

On April 19, 2004, before me, Penelope Wolfe, Notary Public, personally appeared Brent T. Fultz ^{PW} ~~to me (or~~ proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

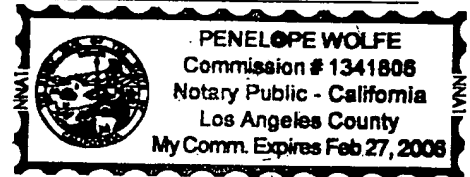
[SEAL]

Penelope Wolfe
Notary Signature

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13th day of April, 2004.

Channing Ahn
Channing Ahn

STATE OF California }
COUNTY OF Los Angeles } ss.



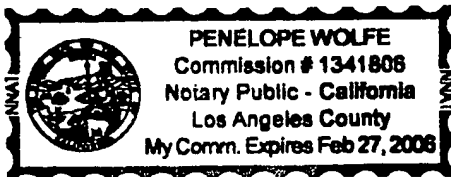
On April 13, 2004, before me, Penelope Wolfe, Notary Public, personally appeared Channing Ahn ~~personally known to me (or~~ proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Penelope Wolfe
Notary Signature

COPY



COPY

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 13 day of April, 2004

Rachid Yazami

STATE OF California }
COUNTY OF Los Angeles } ss.

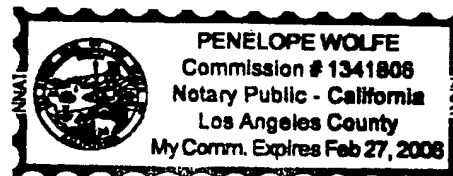
On April 13, 2004, before me, Penelope Wolfe, Notary Public, personally appeared Rachid Yazami ~~personally known to me (or~~ proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument, and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

[SEAL]

Penelope Wolfe
Notary Signature
COPY

\\DOCS-OC\FILES\DOCS\PTH\CALTECH JPL\CTJPL.010A\ASSIGNMENT CTJPL.010A.DOC
040904



COPY